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**Date:** August 19, 2005  
**Fax:** (571) 273-8300  
**To:** U.S. Patent and Trademark Office  
**From:** Brian C. Kunzler  
**Re:** 10/608,872

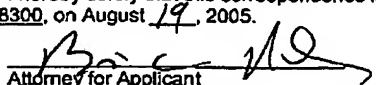
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**Number of Pages including cover:** 13

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**Comments:**

<p align="center"><b>CERTIFICATE OF TRANSMISSION</b></p> <p>I hereby certify that this correspondence is being transmitted by fax to the U.S. Patent and Trademark office to fax number 571-273-8300, on August 19, 2005.</p> <p> Attorney for Applicant</p>
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PATENT  
Docket No. RPS9-2002-0124US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Richard H. Harris et al.	)
		)
Serial No.:	10/608,872	)
		) Group Art
Filed:	June 26, 2003	) Unit: 2876
		)
For:	<b>APPARATUS, METHOD, AND SYSTEM FOR POSITIVELY IDENTIFYING AN ITEM</b>	)
		)
Examiner:	Daniel L. Walsh	)

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

In response to the Office Action mailed on May 19, 2005, Applicants respectfully request the reconsideration of the present application in view of the following remarks and amendments.